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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213235
Party	Defendant Mars, Incorporated
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Submission	Stipulated/Consent Motion to Extend
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Date	06/24/2016
Attachments	Hershey v. Mars - Consented Motion to Extend Deadlines (June 2016).pdf(87189 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HERSHEY CHOCOLATE & CONFECTIONERY  
CORPORATION and THE HERSHEY COMPANY

Opposers,

v.

MARS, INCORPORATED,

Applicant.

Opposition No. 91213235

**MOTION TO EXTEND DISCOVERY AND TRIAL DATES WITH CONSENT**

Applicant Mars, Incorporated (“Applicant”), by and through counsel, hereby moves for an order to extend the discovery and trial dates in the above-captioned proceeding for a period of thirty (30) days, as set forth below. Counsel for Opposers Hershey Chocolate & Confectionery Corporation and The Hershey Company (“Opposers”) consented to this motion. The parties request the 30-day extension to allow them to finalize a settlement agreement resolving this dispute.

Accordingly, the 30-day extensions are as follows:

Expert Disclosures Due:	7/26/16
Discovery Closes:	8/25/16
Plaintiff’s Pretrial Disclosures:	10/9/16
Plaintiff’s 30-day Trial Period Ends:	11/23/16
Defendant’s Pretrial Disclosures:	12/8/16
Defendant’s 30-day Trial Period Ends:	1/22/17
Plaintiff’s Rebuttal Disclosures:	2/6/17
Plaintiff’s 15-day Rebuttal Period Ends:	3/8/17

The Board indicated in its order dated January 4, 2016 that further requests for extensions of deadlines must be accompanied by a detailed progress report regarding the parties' settlement negotiations. The parties hereby report that they have reached a settlement agreement in principle pursuant to which this dispute would be resolved. Since the last extension was granted on April 25, 2016, Mars and Hershey have exchanged drafts of a settlement agreement, and are now working to finalize and execute that agreement. Additional time is therefore needed to allow Applicant and Opposers an opportunity to finalize their agreement.

Accordingly, it is respectfully requested that the present motion for an extension of dates for thirty days be granted.

MARS, INCORPORATED

Dated: June 24, 2016

By /Ross Q. Panko/  
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Ross Q. Panko  
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*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing MOTION TO EXTEND DISCOVERY AND TRIAL DATES WITH CONSENT (re: Opposition No. 91213235) has been served on Opposers' counsel listed below on this 24th day of June, 2016, by electronic mail with Opposers' counsel's consent, as set forth below:

Paul C. Llewellyn  
Kaye Scholer LLP  
250 West 55<sup>th</sup> Street  
New York, NY 10019

/Ross Q. Panko/